# INFORMATION DISCLOSURE STATEMENT BY APPLICANT ( Not for submission under 37 CFR 1.99)

Application Number		09893292	
Filing Date		2001-06-26	
First Named Inventor	Arms	strong	
Art Unit		2629	
Examiner Name	Bodd	e, William	
Attorney Docket Number		ANN-28	

#### CERTIFICATION STATEMENT

Please see 37	CFR 1	.97 and	1.98 to make the	appropriate	selection(	s)	
---------------	-------	---------	------------------	-------------	------------	----	--

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

## OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1,59(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1,579(c).

- See attached certification statement.
- Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

Michael J. Fogarty. III

X None

Name/Print

#### SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

form of the signature.					
Signature	/Michael J. Fogarty. III/	Date (YYYY-MM-DD)	2008-03-03		

Registration Number

42 541

This collection of information is required by 3T CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file railed by the USPTO to process) an application. Confidentiality is governed by \$5 U.S. C. 12 and 37 CFR.

1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application from the USPTO. There will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademant Office, u.S. operatment of Comments of Comments

### Privacy Act Statement

The Privacy Act of 1974 (P. L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patient application or patient. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is SU.S.C. (2)(2)(2) furnishing of the information solicided to is columbary, and (3) the primoral pursuance for which the information is used by the U.S. Patient and Trademan (Office is to process and/or examine your submission related to a patient application or patient. If you do not furnish the requested process and/or examine your submission related to a patient application or patient. If you do not furnish the requested required to the processing of the patient of the patient

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.
  - A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
  - A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the suited matter of the record
  - A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S. C. 552(m).
  - A record related to an International Application filed under the Patent Cooperation Treaty in this system of records
    may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant
    to the Patent Cooperation Treaty.
- A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or hisher designe, during an inspection of records conducted by GSA a part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 4d U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations be event inflicited; so
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 152(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitation of 37 CFR 1.14, as a routine use, to the public if the accord was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application pen to public inspections or an issued patent.
  - A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.